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Filing date: **08/11/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91201016
Party	Plaintiff Dherbs Health Emporium, Inc., Djehuty Herbaceuticals
Correspondence Address	Allan B. Gelbard, Esq. Law Offices of Allan B. Gelbard 15760 Ventura Blvd., Suite 801 Encino, CA 91436 UNITED STATES xxxesq@aol.com
Submission	Other Motions/Papers
Filer's Name	Allan B., Gelbard, Esq.
Filer's e-mail	xxxesq@aol.com
Signature	/Allan B. Gelbard, Esq./
Date	08/11/2011
Attachments	Amended Proof of Service.pdf ( 3 pages )(45866 bytes )

ALLAN B. GELBARD, ESQ.  
THE LAW OFFICES OF ALLAN B. GELBARD  
15760 Ventura Boulevard, Suite 801  
Encino, CA 91436  
Tel:(818)386-9200  
Fax:(818)386-9200  
E-Mail: xxxesq@aol.com  
CA Bar # 184971

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIALS AND APPEALS BOARD**

DHERBS HEALTH EMPORIUM, INC., a  
California corporation; DJEHUTY  
HERBACEUTICALS, a California general  
partnership,

Opposers

vs.

JABIR ABDUL AKBAR, an individual;  
a/k/a EARNEST COLLINS, JR., an individual;  
a/k/a DJEHUTY ME-AT-RA, an individual.

Applicant

**AMENDED PROOF OF SERVICE**

Opposition Number: 91201016

Serial Number: 85/253122

Mark: DHERBS.COM

Published: July 12, 2011

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that on 08/10/2011, this paper is being  
submitted to the Trademark Trial and Appeals Board  
electronically via the Internet, pursuant to Rule 1.26(c).

s/Allan B. Gelbard, Esq./  
Allan B. Gelbard, Esq.

Whereas Opposor's counsel has ascertained that the original service documents were mailed  
to Applicant's attorney or record's previous address and, that Pursuant to TTAB Rule 2.101(a) should  
be resent to the most recent address on file.

Opposors also hereby provide proof of service of the Opposition on Applicant individually  
pursuant to TTAB Rule 2.101 and pursuant to a discussion between counsel.

Therefore, Opposors hereby file their amended proof of service during the Opposition period.

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1 Dated this 11th day of August, 2011

THE LAW OFFICES OF ALLAN B. GELBARD

2  
3 By: / Allan B. Gelbard, Esq./  
4 Allan B. Gelbard, Esq.  
5 Attorney for Opposers  
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**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 15760 Ventura Boulevard, Suite 801, Encino, CA 91436. On 8/11/2011, I served the within

**NOTICE OF OPPOSITION; AMENDED PROOF OF SERVICE**

☐

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

☒

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Encino, California addressed as set forth below.

☒

by causing personal delivery by ESTTA of the document(s) listed above to the person(s) at the address(es) set forth below.

☐

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Josh Gerben, Esq.  
Gerben Law Firm, PLLC  
1155 Connecticut Ave. NW, Suite 500  
Washington, DC 20036

Earnest L. Cooper, Jr.  
a/k/a/ Jabir Abdul Akbar  
a/k/a Djehuty Ma'at-Ra  
1851 Cleveland Rd.  
Glendale, CA 91202

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on 8/11/2011, at Encino, California.

/Allan B. Gelbard, Esq./  
Allan B. Gelbard, Esq.